

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

SUNFIELD ENTERPRISE  
CORPORATION,

Plaintiff,

v.

SAPPHIRE AUDIO LLC,

Defendant.

C.A. No. 05-CV-685

## **UNOPPOSED MOTION TO EXTEND DISCOVERY DEADLINE**

The Defendant, Sapphire Audio LLC (“Sapphire”), hereby requests that the Court issue an Order extending the deadline for taking discovery in this matter from February 1, 2007, to February 15, 2007. In support of their motion, Sapphire states as follows:

1. Sunfield initiated this action by filing the Complaint on or about September 20, 2005.
2. On January 10, 2006, the Court issued an Order requiring that all discovery “be commenced in time to be completed by November 8, 2006.” The Order further established deadlines for filing and serving motions for summary judgment (November 21, 2006) and motions in limine (February 21, 2007); scheduled a pretrial conference for March 7, 2007; and scheduled a seven-day jury trial to begin on March 19, 2007.
3. Since the Court issued the January 10 Order, the parties have engaged in discovery, but have devoted the majority of their efforts to settlement discussions, including mediation before Judge Thyng of this Court, which began on October 12, 2006.

4. On October 30, 2006, the parties filed a Joint Motion to Extend the Discovery Deadline to February 1, 2007.

5. The parties' mediation and settlement efforts have not resulted in a settlement of this matter, but they are continuing. Their ability to reach a settlement will be compromised, however, to the extent that Sapphire is required to expend additional funds responding to discovery. In the hope of forestalling that event, and thus of facilitating a settlement of this matter, Sapphire hereby requests a two-week extension of the discovery deadline, to February 15, 2007.

6. The parties have agreed and stipulated that neither of them will file a summary judgment motion. Consequently, extension of the discovery deadline to February 15, 2007, will not affect the remaining deadlines in this case.

7. Counsel for the Plaintiff, Sunfield Enterprise Corporation, has stated that Plaintiff does not oppose this Motion.

8. Pursuant to D. Del. Local Rule 16.5, the undersigned certifies that this request to extend the deadline for completion of discovery has been sent to Sapphire.

WHEREFORE, Sapphire requests that the Court enter an Order extending the discovery deadline to February 15, 2007, and grant such other relief as the Court deems just and proper.

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Respectfully submitted,

**MORRIS, NICHOLS, ARSHT  
& TUNNELL LLP**

*/S/ William O. LaMotte III*

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Dated: January 31, 2007